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AMENDMENT TO THE CLAIMS

The present amendment cancels claims 1-3, 11, 12, 20-24, 49 and 51 and amends claims 4-10, 13, 14, 16, 18, 19, 25-28, 32, 43, 44, 50, 53 and 54. According to 37 C.F.R. § 1.121(c), after entry of the present amendment, the following claims are in the case:

7 4. (Currently Amended) The kit of claim ~~1~~ 1 ~~52~~, wherein said targeting agent-therapeutic agent construct comprises at least a first anti-aminophospholipid antibody that binds to phosphatidylethanolamine, or antigen-binding fragment thereof.

8 5. (Currently Amended) The kit of claim ~~4~~ 7, wherein said targeting agent-therapeutic agent construct comprises at least a first IgG or IgM anti-aminophospholipid antibody that binds to phosphatidylethanolamine.

9 6. (Currently Amended) The kit of claim ~~4~~ 7, wherein said targeting agent-therapeutic agent construct comprises at least a first scFv, Fv, Fab', Fab or $F(ab')_2$ antigen-binding fragment of an anti-aminophospholipid antibody that binds to phosphatidylethanolamine.

10 7. (Currently Amended) The kit of claim ~~4~~ 7, wherein said targeting agent-therapeutic agent construct comprises at least a first recombinant anti-aminophospholipid antibody that binds to phosphatidylethanolamine, or antigen-binding fragment thereof.

11 8. (Currently Amended) The kit of claim ~~4~~ 7, wherein said targeting agent-therapeutic agent construct comprises at least a first human, humanized or part-human chimeric anti-

aminophospholipid antibody that binds to phosphatidylethanolamine, or antigen-binding fragment thereof.

12 9. (Currently Amended) The kit of claim 4, wherein said targeting agent-therapeutic agent construct comprises at least a first monoclonal anti-aminophospholipid antibody that binds to phosphatidylethanolamine, or antigen-binding fragment thereof.

13 10. (Currently Amended) The kit of claim 1, wherein said targeting agent-therapeutic agent construct comprises at least a first aminophospholipid binding protein that binds to phosphatidylethanolamine or an aminophospholipid-binding fragment thereof.

Claims 11 and 12 cancelled

14 13. (Currently Amended) The kit of claim 10, wherein said targeting agent-therapeutic agent construct comprises at least a first ~~Annexin V or~~ kininogen or ~~an aminophospholipid-binding~~ a phosphatidylethanolamine-binding fragment thereof.

15 14. (Currently Amended) The kit of claim ~~1~~ 12, wherein said targeting agent-therapeutic agent construct comprises at least a first anticellular or cytotoxic agent.

16 15. (Original) The kit of claim 14, wherein said targeting agent-therapeutic agent construct comprises at least a first gelonin, ricin A chain or deglycosylated ricin A chain.

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16. (Currently Amended) The kit of claim ~~1~~ 52, wherein said targeting agent-therapeutic agent construct comprises at least a first coagulant.

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17. (Original) The kit of claim 16, wherein said targeting agent-therapeutic agent construct comprises at least a first Tissue Factor, dimeric Tissue Factor, trimeric Tissue Factor, polymeric Tissue Factor, mutant Tissue Factor, truncated Tissue Factor or a Tissue Factor derivative.

19 1

18. (Currently Amended) The kit of claim ~~1~~ 52, wherein said targeting agent-therapeutic agent construct comprises an ~~anti-phosphatidylserine~~ antibody that binds to phosphatidylethanolamine, or antigen binding fragment thereof, ~~that~~ wherein said antibody or antigen binding fragment thereof is directly or indirectly attached to truncated Tissue Factor.

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19. (Currently Amended) The kit of claim ~~1~~ 52, wherein said kit comprises at least a first pharmaceutically acceptable formulation suitable for intravenous administration.

Claims 20-24 cancelled

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25. (Currently Amended) The kit of claim ~~24~~ 52, wherein said at least a first targeting agent-therapeutic agent construct and said at least a second anti-cancer agent are comprised within a single pharmaceutical composition.

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26. (Currently Amended) The kit of claim ~~24~~ 52, wherein said at least a first targeting agent-therapeutic agent construct and said at least a second anti-cancer agent are comprised within distinct pharmaceutical compositions.

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27. (Currently Amended) The kit of claim ~~24~~ 52, wherein said at least a second anti-cancer agent is a chemotherapeutic agent, radiotherapeutic agent, anti-angiogenic agent or apoptosis-inducing agent.

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28. (Currently Amended) The kit of claim ~~24~~ 52, wherein said at least a second anti-cancer agent is an antibody-therapeutic agent construct comprising a second targeting antibody, or antigen-binding fragment thereof, that binds to a surface-expressed, surface-accessible or surface-localized component of a tumor cell, tumor stroma or tumor vasculature; wherein said targeting antibody or fragment thereof is operatively linked to a therapeutic agent.

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29. (Original) The kit of claim 28, wherein said second targeting antibody, or antigen-binding fragment thereof, binds to a surface-expressed, surface-accessible, surface-localized, cytokine-inducible or coagulant-inducible component of intratumoral blood vessels of a vascularized tumor.

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30. (Original) The kit of claim 29, wherein said second targeting antibody, or antigen-binding fragment thereof, binds to a component of intratumoral vasculature selected from the group consisting of an aminophospholipid, endoglin, a TGFβ receptor, E-selectin, P-selectin, VCAM-1, ICAM-1, PSMA, a VEGF/VPF receptor, an FGF receptor, a TIE, $\alpha_v\beta_3$ integrin, pleiotropin, endosialin, an MHC Class II protein, VEGF/VPF, FGF, TGFβ, a ligand that binds to a TIE, a tumor-associated fibronectin isoform, scatter factor/hepatocyte growth factor (HGF), platelet factor 4 (PF4), PDGF and TIMP.

27 24

31. (Original) The kit of claim 28, wherein said second targeting antibody, or antigen-binding fragment thereof, is operatively linked to gelonin, deglycosylated ricin A chain, Tissue Factor, truncated Tissue Factor or to an antibody, or antigen-binding fragment thereof, that binds to Tissue Factor or truncated Tissue Factor.

28 1

32. (Currently Amended) The kit of claim ~~1~~ 52, wherein said kit further comprises ~~biologically effective amounts of:~~

~~(a) said at least a first targeting agent therapeutic agent construct that comprises at least a first targeting agent that binds to an aminophospholipid operatively attached to at least a first therapeutic agent;~~

~~(b)~~ ~~said~~ a targeting agent-detectable agent construct that comprises a second targeting agent that binds to ~~an aminophospholipid~~ phosphatidylethanolamine operatively attached to a detectable agent~~; and~~

(c) ~~said at least a second anti-cancer agent~~.

Claims 33-42 cancelled

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43. (Currently Amended) In combination, biologically effective amounts of:

(a) a first composition comprising at least a first anti-cancer agent, wherein said at least a first anti-cancer agent is at least a first targeting agent-therapeutic agent construct that comprises at least a first therapeutic agent operatively attached to at least a first targeting agent that binds to ~~an aminophospholipid operatively attached to at least a first therapeutic agent~~ phosphatidylethanolamine;

(b) a second composition comprising a targeting agent-detectable agent construct that comprises a detectable agent operatively attached to a second targeting agent that binds to ~~an aminophospholipid operatively attached to a detectable agent~~ phosphatidylethanolamine; and

(c) at least a second anti-cancer agent other than said at least a first targeting agent-therapeutic agent construct.

30 29

44. (Currently Amended) The kit of claim ~~20~~ 43, wherein the targeting agent of said at least a first targeting agent-therapeutic agent construct and the targeting agent of said targeting agent-detectable agent construct are anti-aminophospholipid antibodies that bind to phosphatidylethanolamine, or antigen-binding fragments thereof, obtained from the same antibody preparation or antibody-producing hybridoma.

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45. (Previously Presented) The combination of claim 43, wherein said first composition is a pharmaceutical composition.

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46. (Previously Presented) The combination of claim 43, wherein said second composition is a pharmaceutical composition.

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47. (Previously Presented) The combination of claim 43, wherein said at least a second anti-cancer agent is admixed with said at least a first targeting agent-therapeutic agent construct to form a therapeutic cocktail.

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48. (Previously Presented) The combination of claim 43, wherein said at least a second anti-cancer agent is comprised within a composition distinct from said at least a first targeting agent-therapeutic agent construct.

Claim 49 cancelled

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50. (Currently Amended) The kit of claim ~~1~~ 52, wherein said kit comprises at least a first pharmaceutically acceptable liposomal formulation.

Claim 51 cancelled

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52. (Previously Presented) A kit comprising, in a pharmaceutically acceptable form, therapeutically effective amounts of:

(a) at least a first anti-cancer agent, wherein said at least a first anti-cancer agent is at least a first targeting agent-therapeutic agent construct that comprises at least a first targeting agent operatively attached to at least a first therapeutic agent, wherein said at least a first targeting agent binds to phosphatidylethanolamine expressed on the luminal surface of blood vessels of a vascularized tumor; and

(b) at least a second anti-cancer agent other than said at least a first targeting agent-therapeutic agent construct.

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53. (Currently Amended) A kit comprising, in a pharmaceutically acceptable form, therapeutically effective amounts of:

(a) at least a first anti-cancer agent, wherein said at least a first anti-cancer agent is at least a first targeting agent-therapeutic agent construct that comprises at least a first targeting agent operatively attached to at least a first therapeutic agent, wherein said at least a first targeting agent binds to ~~an aminophospholipid~~ phosphatidylethanolamine on the luminal surface of blood vessels of a vascularized tumor; and

(b) at least a second anti-cancer agent other than said at least a first targeting agent-therapeutic agent construct; wherein said at least a second anti-cancer agent:

(i) increases ~~aminophospholipid~~ phosphatidylethanolamine expression in the endothelium of said blood vessels of said vascularized tumor or injures or induces apoptosis in the endothelium of said blood vessels of said vascularized tumor; or

(ii) kills tumor cells of said tumor or is an anti-angiogenic agent that inhibits metastasis of tumor cells.

3 54. (Currently Amended) The kit of claim 2 53, wherein said at least a second anti-cancer agent increases ~~aminophospholipid~~ phosphatidylethanolamine expression in the endothelium of said blood vessels of said vascularized tumor or injures or induces apoptosis in the endothelium of said blood vessels of said vascularized tumor.

4 55. (Previously Presented) The method of claim 3 54, wherein said at least a second anti-cancer agent is taxol, vincristine, vinblastine, neomycin, a combretastatin, a podophyllotoxin, TNF-α, angiostatin, endostatin, vasculostatin, an $\alpha_v\beta_3$ antagonist, a calcium-flux inducing agent, a calcium ionophore, H_2O_2, thrombin, an inflammatory cytokine or interleukin-4.

56. (Previously Presented) The kit of claim 53, wherein said at least a second anti-cancer agent kills tumor cells of said tumor or is an anti-angiogenic agent that inhibits metastasis of tumor cells.

57. (Previously Presented) The kit of claim 56, wherein said at least a second anti-cancer agent is an anti-tumor cell immunoconjugate, a chemotherapeutic agent or an anti-angiogenic agent.